

**IN THE MATTER OF
THE ENVIRONMENTAL ASSESSMENT ACT, S.B.C. 2002, c. 43 (the Act)**

AND

**IN THE MATTER OF
ENVIRONMENTAL ASSESSMENT CERTIFICATE #W09-01
HELD BY DISTRICT OF NORTH COWICHAN
(CERTIFICATE HOLDER)**

FOR THE CHEMAINUS WELLS PROJECT

AMENDMENT # 1 TO THE CERTIFICATE

WHEREAS:

- A. Environmental Assessment Certificate #W09-01 (Certificate) was issued to District of North Cowichan on March 9, 2009, for the Chemainus Wells Project;
- B. The Certificate authorized the construction and operation of two groundwater wells on the north bank of the Chemainus River east of the TransCanada Highway Bridge in the Westholme area, adjacent to Halalt I.R.#2, a pump station, approximately four kilometres of new watermains, and a 4.54 M litre (1 Million gallon) concrete reservoir on River Road;
- C. On July 23, 2015, the Holder applied to the Environmental Assessment Office (EAO) under Section 19(1) of the Act for an amendment to the Certificate to operate wells #2 and #3 to extract water for a groundwater and surface water data collection program during August and September 2015;
- D. On August 5, 2015, EAO referred the Application to the Ministry of Forests, Lands and Natural Resource Operations and the Halalt First Nation for review and comment;
- E. The Certificate Holder responded to the comments received, and EAO considered their comments and the Certificate Holder's responses for this Amendment review process; and

F. The undersigned has considered the Application and the comments provided to EAO.

NOW THEREFORE,

I order that the Certificate is amended as follows:

1. Schedule A is amended by adding:

Chemainus Wells Water Supply Project Environmental Assessment Certificate #W09-01 Amendment Application to Permit Groundwater Extraction for Testing dated July 23, 2015 with attached Municipality of North Cowichan Groundwater and Surface Water Data Collection Program dated July 23, 2015.

2. In Schedule B, commitment #A1, the following changes are made:

Commitment #A1 is now changed to Commitment #A1 a).

Adding Commitment #A1 b) through #A1 d) to Schedule B, Table of Commitments:

#A1 b) "To further evaluate the feasibility of summer pumping of the groundwater wells, Municipality of North Cowichan (MNC) will complete a 2015 Summer Testing Program consisting of two short duration tests of up to two days and 2 moderate duration tests of up to 14 days using the existing wells PW#2 and PW#3. During the last moderate test duration MNC will release water from Holyoak Lake to the Chemainus River to supplement its flow as outlined in the Groundwater and Surface Water Data Collection Program (Program) dated July 23, 2015.

#A1 c) For the summer pumping tests, MNC will ensure that the following mitigation measures are in place to address potential adverse effects from pumping:

- A qualified professional with fisheries expertise will be on call and this person will have the authority to stop the test pumping in the event of harm to fish or fish habitat; and
- If the continuous river stage recorders, adjacent to wells PW#2 and PW#3, measure flow decline by more than 20 percent, MNC will either stop pumping or MNC will release water from Holyoak Lake and Banon Creek to supplement flow in the river.

#A1 d) For the summer pumping tests, MNC will consult with Halalt First Nation:

- MNC will involve Halalt First Nation and their consultants in the testing program through ongoing communications and updates, and will provide the results of the data analysis when available; and
- MNC will communicate with Halalt First Nation and their consultant(s) on a daily basis and track the issues and concerns raised. During the testing program MNC will report out to EAO on a weekly basis on how the Halalt First Nation issues and concerns have been addressed.



Kevin Jardine
Associate Deputy Minister and Executive Director
Environmental Assessment Office

Issued this 27th day of August, 2015